



DEPARTMENT OF THE NAVY  
BOARD FOR CORRECTION OF NAVAL RECORDS  
2 NAVY ANNEX  
WASHINGTON DC 20370-5100

LCC:ddj  
Docket No: 7433-99  
27 June 2000

[REDACTED]

[REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 27 June 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by CNO memorandum 7220 SER N130E2/OU0088 of 11 February 2000, a copy of which is attached.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the advisory opinion. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER  
Executive Director

Enclosure



DEPARTMENT OF THE NAVY  
OFFICE OF THE CHIEF OF NAVAL OPERATIONS  
WASHINGTON, DC 20350-2000

IN REPLY REFER TO

7220  
Ser N130E2/0U0088  
11 FEB 2000

MEMORANDUM FOR EXECUTIVE DIRECTOR, BOARD FOR CORRECTION  
OF NAVAL RECORDS

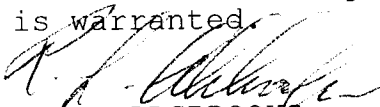
Via: Assistant for BCNR Matters, (Pers-00XCB)

Subj: REQUEST FOR BCNR ADVISORY OPINION ICO [REDACTED]

Ref: (a) Your memo of 14 Oct 99  
(b) PDTATAC Msg 200638Z Aug 99

1. In reference (a) [REDACTED] states that he believes he is entitled to an additional payment of Cost of Living Allowance (COLA) for 1 Jun 1999 due to the provisions stated in reference (b).

2. IAW reference (a), revealed that [REDACTED] initiated a Permanent Change of Station (PCS) transfer move effective 1 Jun 99, the same day that the COLA INDEX (GUAM) reduced rate went into effect. Per reference (b), provisions for restitution for COLA was authorized effective 01 Jun 99, the date of the PCS transfer. Therefore N130E recommends disapproval of the petitioner's request of payment of Cost of Living Allowance (COLA) for 1 Jun 99, no action is warranted.

  
R. L. ALSBROOKS  
Chief, Compensation and  
Policy Coordination Branch